

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BELLSOUTH	)	
TELECOMMUNICATIONS, INC.	)	
PETITION FOR DECLARATORY ORDER	)	CASE NO.
REGARDING INTERCONNECTION WITH	)	2015-00227
CENTRAL KENTUCKY NETWORK FOR	)	
911/E911 SERVICE TO PUBLIC SAFETY	)	
ANSWERING POINTS	)	

ORDER

On July 8, 2015, pursuant to 807 KAR 5:001, Section 19, BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (“AT&T Kentucky”) filed a petition for a declaratory order to determine the obligations of AT&T Kentucky and Central Kentucky 911 Network (“CKN”) regarding interconnection and routing of traffic for the provision of 911 service to Public Safety Answering Points. AT&T Kentucky requested that the Commission declare that CKN: 1) is a utility as defined in KRS 278.010(3)(e); 2) must obtain a certificate of public convenience and necessity pursuant to KRS 278.020; and 3) must request and enter into an interconnection agreement with AT&T Kentucky under 47 U.S.C. § 252. By Order entered on July 31, 2015, the Commission required AT&T Kentucky to serve a copy of the petition on CKN, as well as on the Kentucky Commercial Mobile Radio Services (“CMRS”) Board.

Several entities sought to intervene in the proceeding. The Lexington-Fayette County Urban Government (on behalf of CKN), Marion County, the Jessamine County Fiscal Court, London-Laurel County Communications Center, Cincinnati Bell Telephone

Company LLC, KIT-COM, Inc., the CMRS Board, Garrard County, and the Attorney General of the Commonwealth of Kentucky requested and were granted intervention.

On August 17, 2016, the Commission issued an Order, at the request of AT&T Kentucky, holding this case in abeyance for 120 days to allow the parties an opportunity to reach a resolution. The Order also required the periodic filing of status reports. On December 14, 2016, AT&T Kentucky filed with the Commission its 120-day status report. In the report, AT&T Kentucky stated that it has been operating under agreed-upon 911 arrangements with several of the intervenors to this case for several months, and that AT&T Kentucky would be willing to work with other CKN members under similar arrangements. AT&T Kentucky further stated that it thought dismissal of the proceeding without prejudice would be appropriate and that it would work with the other parties to determine their willingness to submit a joint or unopposed motion to dismiss.

On January 18, 2017, the Commission issued an Order finding that we should not dismiss this proceeding without providing the intervenors an opportunity to respond to AT&T Kentucky's declaration that it would be appropriate to dismiss the proceeding without prejudice. We provided the intervenors 20 days to file an objection to the dismissal of this proceeding and stated that if no objections were filed within the appointed time, this case would be dismissed without prejudice. The 20-day period has run and no objections have been filed. Therefore, we find that this matter should be dismissed without prejudice.

IT IS HEREBY ORDERED that this matter is dismissed without prejudice and removed from the Commission's docket.

By the Commission

ENTERED  
**FEB 20 2017**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director *for*

Case No. 2015-00227

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